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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,629	12/13/2001	Ted Stine	6541-61435	6412

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EXAMINER

SHARMA, SUJATHA R

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 08/02/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/017,629

Applicant(s)

STINE ET AL.

Examiner

Sujatha Sharma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____  |

***Claim Objections***

1. Claims 8,10,12 are objected to because of the following informalities:

In claims 8, line 1, "system of claim 5" should read as –system of claim 6—

In claims 9, line 1, "system of claim 7" should read as –system of claim 8—

In claims 10, line 1, "system of claim 5" should read as –system of claim 6—

In claim 12, line 1, "system of claim 6" should read as – system of claim 6 further comprising--

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Humes [US 6,721,577].

Regarding claim 1, Humes discloses a linked list calling feature within a telecommunications device. Humes further discloses a wireless phone with a memory (300 in Fig. 3) and a processor (310 in Fig.3). Humes further discloses a call queue function (i.e. creating a sequentially correlated link list for sequentially originating outgoing call connections without having to separately enter or select a directory number) to enable the configuration and storage in the memory (see col. 2, lines 30-33), the call queue comprising an order list of entries to dial (see col. 2, lines 1-10) and the call queue function is enabled by the memory and the processor. See summary of invention.

Regarding claim 2, Humes further discloses a method wherein a queue dial function which when operated results in a dialing of a next entry of the call queue. See col. 4, line 47 – col. 5, line 9.

Regarding claim 4, Humes further discloses a method wherein the queue dial function which when operated once results in dialing all entries of the call queue in the order of the ordered list. See col. 4, line 47 – col. 5, line 9.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by Ahlberg [US 5,600,704].

Regarding claim 6, Ahlberg discloses system and method for prioritized routing of telephone calls to a subscriber. Taylor further discloses a first computer system (feature node 34 in Fig. 1) comprising a call queue for the wireless device, the call queue indexed by an identification of the wireless device. See Figs. 2A and 2B. Ahlberg further discloses a queue management function to provide a next number to dial from the call queue in response to receipt of a queue dial request from the user. See col. 9, line 54- col. 10, line 30.

Regarding claim 7, Ahlberg further discloses a user database, the user database comprising the call queue. See figs. 2A and 2B.

Regarding claim 11, Ahlberg further discloses a MSC, which receives the number from the feature node/first computer system to connect a call. See Fig. 1 and col. 5, lines 38-55.

Regarding claims 12-14 Ahlberg further discloses a method wherein the queue management function provides each number of the call queue in a dial order, in response to receipt of queue dial request from the wireless device. See Figs 2A, 2B and col. 9, line 54- col. 10, line 30.

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Humes [US 6,721,577] in view of Dugan [US 6,363,411].

Regarding claim 3, Humes discloses all the limitations as claimed. However he does not disclose a method wherein the queue dial function when operated results in removing the next entry from the call queue.

Dugan teaches a method where a call to be dialed is put in a queue and the system maintains a list of numbers based on the priority and when queue becomes available, the system pushes the number to the top of the queue and removes it from the list after making the call connection, thus resetting the call queue list for efficient call routing. Thus Dugan's teaching reads on the claimed limitation of removing the next entry in the call queue when the call dial function is operated.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Dugan to Humes in order to provide an efficient call routing method.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Humes [US 6,721,577] in view of Taylor [US 6,034,687].

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Regarding claim 5, Humes discloses all the limitations as claimed. However he does not disclose a method of correlating the name in the queue with a dialable number in the address book.

Dugan teaches a method where an address book is used to store names and numbers and the address book are cross-referenced with the caller's name. See col. 9, lines 50-65.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Taylor to Humes in order to provide an efficient call routing method.

8. Claims 8,9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahlberg [US 5,600,704] in view of Widergren [US 5,890,064].

Regarding claims 8, 9, Ahlberg discloses all the limitations as claimed. However he does not disclose a method wherein a second computer such as an Internet server receives the call queue from a client device and communicates the queue to the first computer system.

Widergren teaches a method of computer supported telephony. Widegren teaches a method wherein the user creates a personal routing scheme for the computer supported telephony and this personal profile is stored in the HLR (this reads on the limitation where the call queue/routing table is stored I the HLR). Widegren further discloses a method wherein the personal profile can be modified by a computer application communicating with the HLR (this reads on the limitation that the Queue is supplied from the internet server to the HLR). See col. 16, lines 14-35.

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Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Widegren to Ahlberg in order to provide a more flexible call routing method and use the computer supported telephony features.

9. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ahlberg [US 5,600,704] in view of Dugan [US 6,363,411].

Regarding claim 3, Ahlberg discloses all the limitations as claimed. However he does not disclose a method wherein the queue dial function when operated results in removing the next entry from the call queue.

Dugan teaches a method where a call to be dialed is put in a queue and the system maintains a list of numbers based on the priority and when queue becomes available, the system pushes the number to the top of the queue and removes it from the list after making the call connection, thus resetting the call queue list for efficient call routing. Thus Dugan's teaching reads on the claimed limitation of removing the next entry in the call queue when the call dial function is operated.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Dugan to Ahlberg in order to provide an efficient call routing method.

### *Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Theppasandra [US 6,473,615]

Selective call notification in a wireless network

Hamill-Keays [US 6,223,046]

System and method for coordinating notification requests

for terminal availability



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Patel [US 5,844,980]

Queue managing system and method

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 703-305-5298. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sujatha Sharma  
July 15, 2004

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER